IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 21402 of 2004

Between:

1 Domma Raju Gopal Raju, S/o.Subba Rama Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
2 Hasti Venkata Subba Raju, S/o.Pullama Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
3 Konduru Subbarama Raju, S/o.K.Venkatasubba Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
4 Gadiraju Nagamani, W/o.G.Prabakar Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
5 Koneti Suseelamma, W/o.K.Seetharama Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
6 Keerthipati Srinivasaraju, S/o.K.Raghupathi Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
7 Dommaraju Chinnabbaraju, S/o.D.Venkata Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
8 Gaderaju Padmavathi, W/o.G.Yanada Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
9 Gaderaju Ramanjulamma, W/o.G.Venkata Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
10 Dommaraju Santhamma, W/o.D.Subbarama Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
11 Sangaraju Yerikalaraju, S/o.S.Narayana Raju Ali,
R/o. Tallapaka Village, Rajampet Mandal, District.
12 Chitraju Rammohan Raju, S/o.C.Subbarama Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
13 Keerthipati Chinnabbaraju, S/o.K.Rama Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
14 Gaderaju Dhanalakshmi, W/o.G.Vijay Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
15 Sangaraju Subbanarasamma, W/o.S.Subbarama Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
16 Sangaraju Venkatasubbamma, W/o.S.Subbarama Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.
17 Sangaraju Siva Prasad Raju, S/o.S.Venkata Subbaraju,

R/o. Tallapaka Village, Rajampet Mandal, District.

18 Sangaraju Jayamma, W/o.Narayana Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.

19 Gaderaju Lalithamma, W/o.G.Narasimha Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.

20 Dommaraju Bharathi, W/o.D.Subarama Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.

21 Sangaraju Venkata Subba Raju, S/o.S.Venkata Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.

22 Gadiraju Subbamma, W/o.G.Subba Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.

23 Gadiraju Ramalakshmamma, W/o.G.Narasimha Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.

24 G.Lakshmidevi, W/o.G.Venkatarama raju,
R/o. Tallapaka Village, Rajampet Mandal, District.

25 Dommaraju Anjanamma, W/o.D.Venkatarama Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.

26 Vempalli Lakshmamma, W/o.V.Hanumantha Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.

27 Sangaraju Sampornamma, W/o.S.Subbarama Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.

28 Konduru Subba Raju, S/o.K.Venkata Raju,
R/o. Tallapaka Village, Rajampet Mandal, District.

..... PETITIONER(S)

AND

1 The District Collector, Cuddapah, Cuddapah District.

2 The Mandal Revenue officer, Rajampet Mandal, Rajampet, Cuddapah District.

3 The Management of Annamayya Engineering College, Tallapaka Village, Rajampet Mandal, Cuddapah District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent in evicting the petitioners from their respective patta land without issuing any notice as the same is illegal, arbitrary and unjust and consequently direct the 2nd respondent not to evict the petitioners from their respective patta land.

Counsel for the Petitioner: MR.G.RAVI MOHAN

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the following :

The case of the petitioners is that they are land less poor and they were allotted some land in Sy.Nos.1076/10 and 1080 of Tallapaka Vilage, Rajampet Mandal. They were also granted pattas by the 2nd respondent in the year 1987 and since then they have been residing there by constructing temporary huts. While so, the grievance of the petitioners is that, the 2nd respondent at the instance of the 3rd respondent is trying to evict the petitioners from the said land.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The learned counsel for the petitioner submits the action of the 2nd respondent in proposing to evict the petitioners, without notice and opportunity of hearing to them, much less when there are pattas granted in their favour, is arbitrary and against the principles of natural justice. It is further submitted that the petitioners also made a representation dated 12-7-2004 in this regard to the 1st respondent - District collector, but no orders have been passed thereon so far.

Having regard to the fact that the representation filed by the petitioner is pending before the 1st respondent, it would be suffice to dispose of the writ petition with a direction to the 1st respondent to consider and dispose of the representation dated 12-7-2004 filed by the petitioners, in accordance with law. Till such time, status quo obtaining as on today shall be maintained.

The writ petition is accordingly disposed of. No costs.

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23-11-2004

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To:

1 The District Collector, Cuddapah, Cuddapah District.
2 The Mandal Revenue officer, Rajampet Mandal, Rajampet, Cuddapah District.
3. Two C.Cs. to G.P. for Revenue, High Court of A.P. Hyderabad (OUT)

4. Two C.D. copies